



# The State Bar of California

## California Justice Gap Study

*The first comprehensive statewide study on the need for civil legal assistance in California*

**Interim Update: October 2019**

### Study Purpose

- The State Bar has provided leadership in advancing access to justice for decades. The State Bar's mission statement, adopted by the Board of Trustees in 2017, specifies that access and inclusion are core to the State Bar's public protection mission.
- National studies and related statistics, such as the soaring number of self-represented litigants in California courts, point to a significant justice gap, but a comprehensive study of this gap in California has never been done.
- The California justice gap is defined as the gap between the civil legal needs among Californians and the resources available to meet those needs.
- California-specific data on the size and impact of the justice gap will set a baseline and focus future efforts to advance access to legal services. Recognizing this, the State Bar's Board of Trustees made this first California Justice Gap Study a strategic plan objective for 2019.

### How Big Is the California Justice Gap?

Two elements of the study, which spotlight the size, reach, and impact of the California justice gap, are completed:

- A survey of Californians on the civil legal problems they have faced in the past year and what they did to try to resolve those problems, including whether they sought and received legal assistance. The survey was conducted by the National Opinion Research Center at the University of Chicago. The California study included households at or below 125 percent of the Federal Poverty Level as well as a sample of households at all income levels. The survey over-sampled Spanish-speaking households, seniors, individuals with disabilities, and rural households.
- A four-week intake census of legal services providers funded by the State Bar. Nearly 70 California legal aid organizations tracked the number of requests for legal help, the types of problems, and how many clients they were able to serve fully or partially, as well as how many they were unable to serve.

### Preliminary findings from the survey and intake census include the following:

- 55 percent of Californians at all income levels experienced at least one civil legal issue in their household within the past year, yet nearly 70 percent of them received no legal assistance.
- On average, low-income Californians had more than four civil legal problems per household, while those with higher incomes, on average, had slightly more than two.
- Californians sought legal assistance for fewer than one in three legal problems.

- Most Californians do not receive legal help: 27 percent of low-income Californians received some legal help, while 34 percent of higher-income Californians did.
- Nearly 40 percent of low-income Californians who sought legal help reached out to legal aid organizations, but the current system cannot help everyone who needs it. The State Bar projects that Californians will seek legal aid for approximately 450,000 civil legal problems this year; just over half will receive some help, and only 30 percent will be fully served by legal aid.
- The most common categories for civil legal problems affecting Californians at all income levels are health, finance, and employment.
- Californians gave multiple reasons why they did not seek legal help. The most commonly cited reasons included:
  - uncertainty about whether their problem was a legal issue;
  - belief that they needed to deal with the problem on their own;
  - fear of pursuing legal action; and
  - concerns about costs.

More information on preliminary findings from the survey can be found in the [California Justice Gap Study Technical Report](#).

### **Impact of Law School Debt**

In another element of the study, the State Bar is partnering with the Legal Aid Association of California to identify barriers faced by law students and lawyers that may divert them from a career in legal aid.

This part of the California Justice Gap Study is seeking these answers through:

- surveys and focus groups of law school students;
- recruitment and retention surveys from attorneys and executive directors of legal aid organizations in California; and
- a review and analysis of the costs of law schools in the state.

### **Next Steps**

The State Bar expects to complete the California Justice Gap Study by December 31, 2019. When completed, the study will be publicly available on the [State Bar's website](#) and will be distributed to legal aid organizations, legislators, media, and other stakeholders.